

### **REMARKS**

This amendment responds to the Office Action mailed April 28, 2008. Claims 1-5 are present and have been examined in the current application. Claims 1 and 4 are amended to improve the clarity of the claims. These amendments do not change the scope of these claims.

On pages 2-3 of the Office Action, claims 1-5 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,337,762 to Ueno (Ueno). The Examiner's rejection on this ground is respectfully traversed.

Among the limitations of independent claim 1 which are neither disclosed nor suggested in the art of record is the requirement for "a first input port to which a non-return-to-zero light signal is inputted."

Ueno discloses an all-optical switch for outputting light with a second wavelength sequenced by a first return-to-zero (RZ) light having a first wave length. *See* Ueno, col. 1, ll. 52-54, col. 2, ll. 4-10 and Figs. 8-11 and 13-16. Ueno discloses a first input port 12 in which the control (RZ) optical pulse is input. *See* Ueno, Figs. 7 and 12. Except for some additional items disclosed in Fig. 7 (a supervisory laser light source 31, and a spectrum component analyzer and feedback control system 39, comprising branch point 34, wavelength filters 35, 37 and light receivers 36, 38) and Fig. 12 (an optical attenuator 42 and feedback control system 39), Ueno provides a conventional configuration for an all-optical switch. *See* Ueno, Fig. 1 and col. 8, ll. 51-57 and col. 11, ll. 52-56. According to the descriptions of Fig. 1 in col. 1, ll. 52-54 and col. 2, ll. 1-10 of Ueno, the all-optical switch disclosed by Ueno is clearly excited by inputting a Return-to-Zero (RZ) optical signal into first input port 12.

Therefore, Ueno does not disclose "a first input port to which a *non-return-to-zero* light signal is inputted," as required by independent claim 1 (emphasis added). In the absence of any disclosure or suggestion of these features of the invention, independent claim 1 is believed to be in condition for allowance.

Claims 2-5 depend from independent claim 1 and incorporate by reference all the limitations found therein. These claims include further limitations which, in combination with the limitations of claim 1, are neither disclosed nor suggested in the art of record.

In view of the above amendment and remarks, the Applicant believes the pending application is in condition for allowance.

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